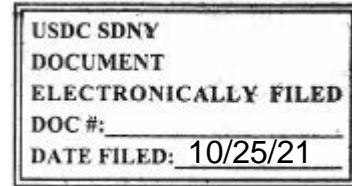


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



ODGERS BERNDTSON, LLC,

Plaintiff,

-against-

JAVIER O'NEIL and VALERIA ESCAMILLA,

Defendants.

Civil Action No. 1:21-cv-05652

**~~PROPOSED~~ STIPULATED
ORDER FOR A PERMANENT
INJUNCTION**

Pursuant to the terms of the Confidential Settlement Agreement dated October 6, 2021, plaintiff Odgers Berndtson, LLC (“Odgers”) and defendant Valeria Escamilla (“Escamilla”) hereby stipulate and agree, subject to the Court’s approval, to the following permanent injunction (the “Permanent Injunction”).

IT IS HEREBY ORDERED THAT:

1. Escamilla is enjoined from, directly or indirectly, alone or in concert with others:

i. Possessing, disclosing, or using any information taken from and/or not returned to Odgers by Defendants or those at their request, at the time of Defendant’s departure, including but not limited to:


1. All information Odgers licensed from third parties;
2. All information comprising the OBDynamics™ Application; and
3. All information containing Odgers’ search and/or project information.

ii. Disclosing or using any information involving Odgers’ business, personnel or the conducting of that business, including but not limited to Idenx and/or OBDynamics™ and the OBDynamics™ application.

2. If Escamilla discovers or comes to learn that she has any information within the scope of Paragraph 1 in her possession, custody, or control, Escamilla shall have two (2) calendar days to notify Odgers of the inadvertent possession of the information and to provide copies of any such information to Odgers and to delete it under Odgers' supervision, without violating the terms of this order.
3. As to Odgers and Escamilla, the relief granted by the Consent Order Granting a Preliminary Injunction and Setting a Discovery Schedule issued by this Court on July 2, 2021 shall be dissolved and expire and be of no further effect upon the so-ordering and entry of this Permanent Injunction by the Clerk of the Court.
4. No bond or undertaking is required in connection with this Permanent Injunction.
5. The Court shall retain jurisdiction over this Permanent Injunction.

Dated: October 18, 2021
New York, New York

TARTER KRINSKY & DROGIN LLP
Attorneys for Plaintiff

By: 

David N. Kleinmann, Esq.
1350 Broadway, 11th Floor
New York, New York 10018
Tel.: (212) 216-8000
Email: dkleinmann@tarterkrinsky.com

Dated: October __, 2021
New York, New York

SCAROLA ZUBATOV SCHAFFZIN PLLC
Attorneys for Defendant Valeria Escamilla

By: _____

Cassandra Porsch, Esq.
1700 Broadway, 41st Floor
New York, New York 10019
Tel.: (646) 412-3262
Email: cp@szslaw.com

Dated: New York, New York
October ____, 2021

SO ORDERED

UNITED STATES DISTRICT JUDGE

2. If Escamilla discovers or comes to learn that she has any information within the scope of Paragraph 1 in her possession, custody, or control, Escamilla shall have two (2) calendar days to notify Odgers of the inadvertent possession of the information and to provide copies of any such information to Odgers and to delete it under Odgers' supervision, without violating the terms of this order.
3. As to Odgers and Escamilla, the relief granted by the Consent Order Granting a Preliminary Injunction and Setting a Discovery Schedule issued by this Court on July 2, 2021 shall be dissolved and expire and be of no further effect upon the so-ordering and entry of this Permanent Injunction by the Clerk of the Court.
4. No bond or undertaking is required in connection with this Permanent Injunction.
5. The Court shall retain jurisdiction over this Permanent Injunction.

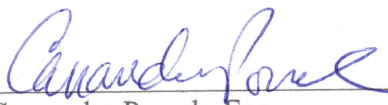
Dated: October __, 2021
New York, New York

TARTER KRINSKY & DROGIN LLP
Attorneys for Plaintiff

By: _____
David N. Kleinmann, Esq.
1350 Broadway, 11th Floor
New York, New York 10018
Tel.: (212) 216-8000
Email: dkleinmann@tarterkrinsky.com

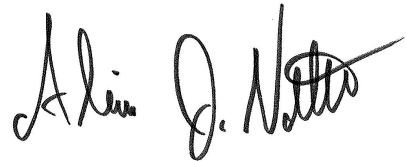
Dated: October 18 2021
New York, New York

SCAROLA ZUBATOV SCHAFFZIN PLLC
Attorneys for Defendant Valeria Escamilla

By: 
Cassandra Porsch, Esq.
1700 Broadway, 41st Floor
New York, New York 10019
Tel.: (646) 412-3262
Email: cp@szslaw.com

Dated: New York, New York
October 25, 2021

SO ORDERED



UNITED STATES DISTRICT JUDGE